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PERSONNEL ADMINISTRATION

IN THE MINISTRY OF HEALTH

by

Raja Zaharaton

(ZAHARATON)

1822231

Faculty of Economics and Administration  
University of Malaya

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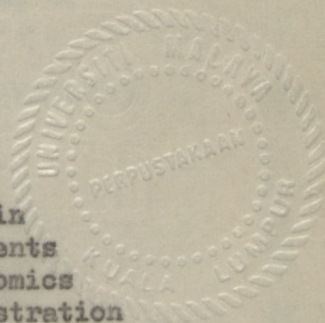
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A Graduation Exercise submitted in partial fulfilment of the requirements for the Degree of Bachelor of Economics in the Faculty of Economics and Administration

UNIVERSITY OF MALAYA

AUGUST, 1970





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## ACKNOWLEDGEMENT

My special gratitude goes to Professor (Dr) Jacobus whose suggestions, criticisms and comments have led to a much improvement in the text.

I wish also to record my thanks to the Ministry of Health officials who so kindly spared their invaluable time in granting the interviews which made this exercise possible.

This paper will discuss the present procedures and systems of personnel administration activities of recruitment, training, probationary period, confirmation, discipline, promotion and retirement. This paper will also highlight the weaknesses in the present procedures and systems and will also attempt to suggest new or improved methods of application of basic principles with the aim of increasing the efficiency of the various processes of personnel administration.

Included in this study will be an examination of the relationships between the Ministry of Health and associated Control Agencies viz the Treasury, the Public Services Department (PSD), Public Services Commission (PSC) and Development Administration Unit (DAU) as regards the above-mentioned personnel administration activities. Here, the writer will determine the extent of the role of the Ministry vis-a-vis the Control Agencies as regards personnel administration and will critically analyse the advantages and disadvantages of the present relationships with the aim of discerning a more dynamic relationship which would enhance and improve the efficiency of the various processes of personnel administration.

It has been indicated that relationships between the Ministry and the above mentioned Control Agencies are similar to relationships between other ministries and the Control Agencies. The study of this Ministry can thus be viewed as a case study of relationships between a single Ministry and the Control Agencies with regards to personnel administration.

## (b) Scope of study

Due to the lack of time and available data, this study is confined to West Malaysia. However, necessary facets of personnel administration supported by agencies at the state level will also be examined from the standpoint of impact upon Ministry personnel activities. The type of personnel included in this study ranges from the Industrial and Manual Group (IMG) to the highest echelon of the professional and administrative service.



## (c) Research Methodology

The research methodology adopted to undertake this study is of three kinds. The first is through interviewing personnel in the Ministry and at the state medical and health offices.

The second is by study of reports issued by the Ministry, related Reports of Control Agencies and CHAPTER I Federal Ordinances and Regulations.

The third source of information is through general textbooks on personnel administration procedures and activities.

### (a) Objective of study

The aim of this study is to undertake a brief survey of the mechanism of personnel administration in the Ministry of Health. This will include a critical examination of existing procedures and systems of personnel administration activities of recruitment, training, probationary period, confirmation, discipline, promotion and retirement. This paper will also highlight the weaknesses in the present procedures and systems and will also attempt to suggest new or improved methods of application of basic principles with the aim of increasing the efficiency of the various processes of personnel administration.

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The second is by analysing reports issued by the Ministry, related reports of Control Agencies and applicable Federal Ordinances and Regulations.

The third source of research material is through general textbooks on personnel administration procedures and activities.

### (d) Organisation of subsequent chapters

This paper proposes to examine the personnel administration of the Ministry and the relationships between the Ministry of Health and the various Control Agencies as regards the various processes of personnel administration. As such, each subsequent chapter is designed and arranged to deal with one activity in the personnel - administration cycle at a time.

Chapter II will examine the Ministry's scope of activity and its objectives and hence the need of having an efficient personnel system.

Chapter III will deal with the recruitment process and will also consider the role of the Ministry as compared to the Control Agencies in this area of activity.

Chapter IV will examine the definition of training, describe how the Ministry determine its training needs, show the various types of training, the length and conditions of the probationary period right up to confirmation. Here, also, the role of the Ministry vis-a-vis the Control Agencies will be examined.

Chapter V will consider the importance and necessity of discipline, examine the regulations covering discipline, determine what are the punishable actions and punishment and look at the punishing authorities. This chapter will also describe the disciplinary process and examine the role of the Ministry in the area of discipline.

The next step i.e. promotion will be dealt in Chapter VI. Here, such questions as purpose of promotion, problem of promotion and basis of promotion will be discussed. Also included in this chapter is the examination of the functions and composition of the Public Services Promotion Boards and the Public Services Promotion Appeal Boards. The conclusion of the chapter will deal with the role of the Ministry in promotion.

Retirement will be considered in chapter VII. The chapter will first discuss the eligibility and conditions of retirement as it applies to any individual. This will be followed by an examination of the present procedures and general criticism, of the retirement procedure.



Chapter VIII, which assesses the personnel administration of the Ministry, will point out weaknesses in the existing system and make suggestions to counteract these failures. The area of relationships between the Ministry and the Control Agencies as regards the various activities of personnel administration will also be considered.

## CHAPTER II

### THE NEED FOR AN EFFICIENT PERSONNEL SYSTEM

#### Introduction

The need for an efficient personnel system arises in every organization because, "however necessary and useful organization and machinery may be in administration, the importance of the manning of the administration is greater, for it is men that work the machine".<sup>1</sup> This personnel problem is especially acute when the organization is large having a wide scope of activity and ambitious objectives. Thus it is relevant to this study on personnel administration in the Ministry if we first examine the scope of activity and its major objectives to determine the importance of instituting an efficient personnel administration within it.

#### Scope of SERVICE

Until 1912, the Government Health Services were divided into two departments, one being maintained by the Federated Malay States (Pahang, Selangor, Negri Sembilan, Feling) and the other by the Unfederated Malay States (Johore, Kuala, Perak, Kelantan, Terengganu) and the other by the Straits Settlements (Penang and Malacca). In 1912 the two services merged with a common professional head acting respectively as "Director" in the Straits Settlements and in an advisory capacity as "Adviser" to the various Federated and Unfederated Malay States. In 1945, the Federation of Malaya Agreement decentralized control to an extent where allocating for some federal institutions such as mental hospitals and leprosy, the executive control over the service became fundamentally a state matter.<sup>2</sup>

With the attainment of independence in 1957 Medical and Health became a Federal subject, except for measures against infectious diseases and public nuisances within local Government areas. The respective states in West Malaysia became concurrently responsible for public health, prevention of diseases and sanitation. On the formation of Malaysia in 1963 Health in Sarawak became a Federal subject, but local policy and the system of administering medicine and health there may only be changed with the concurrence of the State Government. The financial provision, however, is a federal responsibility both for services and development programmes. In Sabah health remains a State matter until 31st December, 1970. Development expenditure, however, is provided by the Federal Government.<sup>3</sup>

1. Principles and Practice of Public Administration, by K. Rathnayake, Central Board Dept., Allahabad, p. 121.
2. Brief Report on the Progress of Health Activities in Malaysia, Ministry of Health, Malaysia, Kuala Lumpur, 15th August, 1969 p. 1.
3. Organization of the Government of Malaysia 1967, published by Development Administration Unit, Prime Minister's Department p. 34.



## CHAPTER II

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1. Principles and Practice of Public Administration, by M. Ruthnaswamy, Central Book Depot, Allahabad, p. 128.
  2. Brief Report on the Progress of Health Activities in Malaysia, Ministry of Health, Malaysia, Kuala Lumpur, 20th August, 1969 p. 1
  3. Organisation of the Government of Malaysia 1967, published by Development Administration Unit, Prime Minister's Department p. 94



The subjects coming within the portfolio of this Ministry are:-

- (a) hospitals, clinics and dispensaries;
- (b) medical profession including dental, pharmacy, nursing, midwifery and other para-medical staff;
- (c) public health, prevention of diseases, sanitation and international health;
- (d) maternity and child welfare;
- (e) leprosy and leprosaria;
- (f) lunacy and mental deficiency including places of reception and treatment;
- (g) rural health services;
- (h) control of food, drugs and poisons.

### Objective

The objective of the Ministry is to improve the health of the people through:-

- (a) emphasis on preventive medicine and public health programmes;
- (b) provision of adequate and up-to-date facilities for medical and dental care;
- (c) provision of trained staff adequate in numbers;
- (d) strengthening of the health administration through the creation of new divisions to cope with the rapidly expanding activities and projects;
- (e) research activities;
- (f) establishment of family planning programme;
- (g) legislation to safeguard health; and
- (h) collaboration in international health and close liaison with international agencies and organisations.

### Conclusion

From the above, one notes the wide scope of activity of the Ministry and also its ambitious objectives. These two factors make it imperative that the Ministry has an efficient personnel system whereby all the objectives can be achieved and whereby no sector in the wide scope of activity will be neglected.

1. Report of the Royal Commission on the Revisions of Salaries and Conditions of service in the Public Services under the chairmanship of Mr. Justice Suffian, p. 7

2. The writer follows closely the Paku Rami Tuhunan, Malaysia (1963) and the Suffian's Report, on the definition of the five different Divisions.



(iii) Division III - Services requiring a good secondary education e.g. the clerical services and include stenographers and certain of the higher manipulative occupations normally found in Division IV.

(iv) Division IV - Services covering the more lowly paid members of the public service whose qualifications and responsibilities are much below those required in Division III. Typists, drivers and office boys.

### CHAPTER III

#### RECRUITMENT

#### Introduction

Before examining the personnel activities of the Ministry, it is best to look briefly into the structure of the public service. This is because of the difference in personnel procedures for the various Divisions in the public service hierarchy and hence in the Ministry of Health.

#### Structure of the Public Service

The various services on occupational classes covering monthly - rated employees are divided into four Divisions. This is in accordance with the recommendation contained in the report of the salaries commission in Malaya, 1947, under the chairmanship of Sir Henry Trusted. To these four Divisions there has recently been added a fifth Division comprising grades which at the time of the Trusted and Benham Committees were daily rated but which were converted to monthly-rated in 1963.<sup>1</sup> There are therefore now 5 Divisions as follows<sup>2</sup>:-

(i) Division I - Services covering administrative officers with educational qualifications equivalent to a university honours degree, legal and professional officers, and others especially qualified by training and experience for senior posts;

(ii) Division II - Services covering officers who are either supervisory or executive. In this category will be found persons whose duties involve a lesser degree of responsibility, and whose educational qualifications are therefore less than those applicable to Division I. It also includes officers holding promotion posts to which officers in Division III are eligible to be promoted;

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(iii) Division III - Service requiring a good secondary education e.g. the clerical service and include stenographers and certain of the higher manipulative occupations normally found in Division IV.

(iv) Division IV - Services covering the more lowly paid members of the service, whose qualifications and responsibilities are very much below those required in Division III e.g. copy typists, drivers and office-boys.

(v) The Industrial and Manual Group - Services such as tradesmen, storemen and many other categories of skilled, semi-skilled and unskilled employees.

Division I and several Division II services are further restricted hierarchially with a broadbase "timescale" posts above which are a limited numbers of "superscale" posts and at the top of the hierarchy are an additional Several "staff appointments". Time-scale promotions are incremental with only occasional routine examination bars blocking advancement, while the superscale grades "M" through "A" are pegged to established posts.<sup>3</sup>

Having done this, it is then possible to examine the ways of recruiting personnel in the Ministry of Health and to see that different divisions are under the jurisdiction of different Control Agencies. Further, one also notes that the procedure for recruitment in some divisions are different from those in others.

#### Ways of Recruiting Personnel in the Ministry of Health<sup>4</sup>

There are two major ways of recruiting personnel in the Ministry of Health, each of which has two separate approaches.

##### (1) Filling of vacant posts

- (a) Filling of vacant posts in Division I, II and III
- (b) Filling of vacant posts in Division IV and the Industrial and Manual Group (IMG).

##### (2) Creation of new posts

- (a) From provisions in the yearly estimates of the Finance Branch of the Ministry.
- (b) By establishment warrant.

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3. Tilman, Public Services in Malaysia p.122

4. Information regarding this is obtained through interviews in the service Division of the Ministry.



(1) Filling of vacant posts

Such a time arises when there is a vacancy in the various establishment posts.

(a) Filling of vacant posts in Division I, II and III

Vacant posts in Division I, II and III of the public service are within the purview of the Federal Public Service Commission. The procedure followed here is that firstly the Public Services Department vet the advertisement and cause the advertisement to be published in the Government Gazette and in at least one local newspaper. The draft advertisement would be prepared by the Ministry using the Scheme of Service as a guideline. Included in advertisement would be a stipulation of qualifications, experience, salaries and other information pertinent to the position.

The next step involves the Public Service Commission. This is the appointment stage. All replies of the aforesaid advertisement go to the Public Service Commission. It is the duty of the Public Service Commission to short-list, which constitutes the cutting down of numbers of applicants to be interviewed. After short-listing arrangements would be made for the individual recruitment interview. This interview is conducted by the Interviewing Board consisting of 2 members of the Public Service Commission plus one Ministry of Health official. The Ministry's representative in the Interviewing Board is either an administrative officer or a member of the professional service, depending on the post to be filled.

It is noted here that the role of the Ministry is merely to assist the Public Services Commission in the field of appointment. As such, one can conclude that insofar as this area is concerned the role of the Ministry is very limited and confined only to an advisory capacity. The Ministry, however, has the power to appoint doctors and dental officers temporarily up to the period of one year. This is applicable only to those doctors and dental officers who are Federal citizens. In the case of non-citizens, the Public Service Commission still retains the prerogative of appointing them.

(b) Filling of vacant posts in Division IV and the Industrial and Manual Group (IMG)

For the Division IV and the Industrial and Manual Group (IMG), the procedure for recruitment is slightly different. A notice specifying posts vacant in Division IV are affixed to notice boards of the office or institution in which the vacancy occurs and copies of this notice in English and Malay are sent to the local Education Department for distribution to appropriate schools not less than two weeks before the closing date for receipt of applications. Notification of vacancies in Division IV are also given to the local Employment Exchange.

Advertisements in newspapers stipulate the salary scale and the necessary educational, technical or professional requirements for the post. A statement that applicants should be Federal citizens is also included.



For Division IV and the Industrial and Manual Group a Selection Board is appointed consisting of 3 members who are: The State Head of Department i.e. the State Chief Medical and Health Officer or Head of Federal Institution, a representative from the State Secretariat and senior officer in the appropriate service. Prior to the final interviewing and selection, there normally is a need for short-listing of applicants. This is because of the colossal number of applicants always encountered relative to the vacant posts.

An exception to the normal selection procedures sometimes occur. An example can be cited. This is in relation to the recent case where members of the Dusun Tua Centre (Pioneer youth corps centre) are to be considered for employment as male attendants. In this case the directive is issued from the Ministry. The State Chief and Medical Health Office would have to comply with this directive from the Ministry. The Selection Board in this instant consist of the State Chief Medical and Health Officer, a representative of State Government, and the principal of the Dusun Tua Centre. As such one can see that sometimes the state medical health office is not independent in this area of recruitment and would have to follow the directives issued by the Ministry to keep in line with the government of the day's policy.

## (2) Creation of new posts

### (a) From the provisions in the yearly estimates of the Finance Branch of the Ministry

The procedure followed here is firstly the Ministry decides upon new posts required and why. The Ministry then decides on kinds and numbers of personnel. After this the Finance Branch is informed. The Financial Branch then forecasts the money requirements for wages and salaries and incorporates in the budget estimates dollar requisites for the new positions. The Financial Branch then submits and supports budget estimates before the Treasury, which either allows or disallows funds for new positions in the budget. Other Control Agencies consulted include the Public Services Department, and the Development Administration Unit.

A frequent complaint in relation to establishing a firm position for future employment levels is that the Treasury seldom fixes a ceiling in order that the Finance Division could adjust, allocate and estimate the next year's expenditure according to the exact amount that it would be given. As it is, much time is wasted in the bargaining process and also in the formulation of new estimates which would be acceptable to the Treasury. A quicker and more efficient way would surely result if the Treasury fixes a ceiling since then it would be easier for the finance division to decide on how many new posts could be created. Furthermore, the process of bargaining is time - consuming and could be omitted if proper guidelines or directives are issued from the Treasury.

After the approval of the creation of new posts by the Treasury, the Ministry would then follow the procedure as described in the first section (1)(a) i.e. from the Public Services Department to the Public Service Commission in the case of Division I to III and section (1)(b) for the Division IV and the Industrial and Manual Group (IMH).



(b) By Establishment Warrant

This is provided for in section 15/3 of the Financial Ordinance 1957.

This arises when there is a sudden need for additional personnel e.g. if the Ministry undertakes a new project for which no provisions were made in the yearly estimates.

After these additional posts are created, the recruitment proper procedure would be along the same lines as described earlier on in the chapter in section I(a) & I(b).

Before examining the Ministry's Training Programmes and Policies it would be useful to this study if we attempt to define what the term "training" means. This is not only to enable us to look at the many facets of training but also to facilitate our analysis by providing us with a tool to gauge the success or the failure of the Ministry's training programme and policies. The verdict of failure or success is arrived at by considering how far the Ministry's training programme and policies deviate from our definition of what training should consist of.

Training is said to be the process of aiding employees to gain effectiveness in their present or future work through the development of appropriate habits of thought and action, skill, knowledge and attitudes.<sup>1</sup>

There are several aspects of this definition which are important.<sup>2</sup> Firstly, even though the employee may become more effective in his work entirely through his own unaided efforts to improve himself, this is not considered training. Training must include the concept of aid for the employee in the process of increasing his competence.

Secondly is the emphasis placed upon the employee. Training is not the impartation of skills and knowledge from above or from the outside; it is a process in which the role played by the employee is of maximum importance. Training must effect a change in the work habits of the employee, in his attitude toward his job, in the information and knowledge which he applies in his daily work. This concept of training as a process in which both the trainer and the trainee participate is very important in contemporary personnel administration.

Training System in the Ministry

Within the Ministry of Health there are 3 large units and almost independent training systems.<sup>3</sup> They are:-

1. Committee on Employee Training in the Public Service. Employee training in Public Service (Chicago : Civil Service Assembly, 1941) p. 112.
2. These aspects are adapted from Municipal personnel administration, published for the Institute for Training in Municipal Administration by the International City Managers Association, pp 135 - 137.
3. Training for Development in West Malaysia. A Report by Development Administration Unit and Staff Training Centre November 1960 p. 3.



(1) the training, under the auspices of the Ministry, of professional and non-professional specialists, or technical staff.

(11) the training (and/or education) of professional and administrative staff, through overseas bursaries and scholarships, controlled by the Public Services Department.

#### CHAPTER IV

#### TRAINING, PROBATIONARY PERIOD LEADING TO CONFIRMATION

##### Definition of Training

Before examining the Ministry's Training Programmes and Policies it would be useful to this study if we attempt to define what the term 'training' means. This is not only to enable us to look at the many facets of training but also to facilitate our analysis by providing us with a tool to gauge the success or the failure of the Ministry's training programmes and policies. The verdict of failure or success is arrived at by considering how far the Ministry's training programmes and policies deviate from our definition of what training should constitute of.

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3. Training for Development in West Malaysia. A Report by Development Administration Unit and Staff Training Centre November 1969 p. 3.



- (i) the training, under the auspices of the Ministry, of professional and non-professional specialists, or technical staff.
- (ii) the training (and/or education) of professional and administrative staff, through overseas bursaries and scholarships, controlled by the Public Services Department.
- (iii) the training of general clerical, management and administrative staff under the control of the Government Staff Training Centre, which itself is under the administrative direction of the Public Services Department.

Table 1 shows the number of officers trained between January 1964 - 67, locally and abroad in the Ministry of Health.

Table 1 No of officers trained between Jan 1964 - 67,  
Locally and abroad in the Ministry of Health

LOCAL TRAINING				OVERSEAS TRAINING			
Staff Training Centre	Departmental Training Centres	Other Local Centres	TOTAL	U.K.	U.S.A.	Other Countries	TOTAL
274	1453	131	1858	103	17	72	192

Source: Training For Development in West Malaysia, A Report  
by Development Administration Unit and Staff Training  
Centre p. 7.

#### HOW THE MINISTRY DETERMINE ITS TRAINING NEEDS.<sup>4</sup>

Before going through various Health Manpower Training Programmes it is relevant to this study if we consider briefly how the Ministry determine its training needs.

Firstly, the training division in the Ministry would have to determine the shortage of various types of personnel in health administration in the Ministry. This is done through a device known as forecasting. In forecasting, this division would consider such factors as expansion policy and the training needs that go with it, the numbers of newly - trained personnel turned out within that year and also the numbers of personnel due to retire in that year. Having considered these factors the division would then arrive at a figure which would show the shortage of various types of personnel serving in the Ministry.

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4. Information regarding this is obtained from interviews with ministerial officials in the Training Branch.



The Ministry would then have to decide on the best means to meet this shortage of personnel. Firstly, the division concerned would calculate 2 figures which would represent the minimum and optimum needs to meet such a shortage in personnel. Having determined these two figures the division would then consider such factors as available manpower, financial resources and training facilities. These factors would determine the Ministry's present strength in the field of training. Usually, the Ministry's present strength would be somewhere along the continuum between the optimum and minimum needs. The nearer it is to the optimum point the more available resources it has and vice versa. Having determined the Ministry's present strength in terms of available resources, it would then be able to conduct pertinent training programmes to meet shortage of various personnel in the Ministry.

Table 2 will illustrate the staff requirement and training programme for the Ministry as on January 1969. It is noted that there is an apparent shortage for all categories of personnel considered except for dental nurses.

#### Health Manpower Training Programmes

In the Ministry's Health Manpower Training Programmes, the writer deals with professional, sub-professional, technical, skilled, manual and semi-skilled personnel. The writer omits training on administrative and clerical employees not because their training are less important, but as said earlier on in the chapter, the training of such personnel are not under the auspices of the Ministry.

Malaysia's training programme can be described as many - faceted and conducted both within and without Malaysia. This statement is corroborated by Dr. Milton I. Roemer, a staff member of World Health Organisation in his Assignment Report 23. June - 12 September 1968.<sup>5</sup>

#### A. General Professional and Vocational Education.

- (1) Training in Medicine for Malaysia has until very recent times been dependent on the University of Singapore and numerous other schools overseas, especially in the British Commonwealth. A number of these students who have attended those universities and schools were provided with bursaries or fellowships by the government, in return for which they have been required to serve in the public service for an equivalent number of years. In 1963, however, the University of Malaya at Kuala Lumpur established a faculty of Medicine, and the first class of young doctors (61 of them) graduated in 1969. In 1970, the output is scheduled for 80 graduates gradually rising to 100 or 120 per year.

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5. See W.H.O. Assignment Report 23 June - 12 Sept 1968 by Dr Milton I. Roemer & Miss Olive Manning p. 61.



**TABLE 2**  
**STAFF REQUIREMENT AND TRAINING PROGRAMME AS ON**  
**JANUARY 1969**

Category	'Projected ' requirement 'up to 1971'	Establishment 1969	No. Avail- able 1.1.69.	No in Training on 1.1.69	69	Expected to qualify						Apparent shortage	REMARKS
						70	71	72	73	74	75		
DRS	1112	914	670	(Fed.138 State 131 C.P. 74.	63	53	38	79	63	47	-	99	Annual Awards Fed.50 C.Plan 10, States?
AL OFFICERS	252	197	138	11(Fed.7;States 4)	2	3	2	3	1	-	-	103	Annual Awards Fed.10, States?
M, CHEMISTS	96	61	41	7(Fed.4;State 3)	-	2	2	3	-	-	-	48	Annual Awards.Fed.5, States?
CHEMISTS (B.Sc.)	14	9	3	4	-	-	2	1	1	-	-	7	2 Awards yearly.
ERIOLOGISTS (B.Sc.)	14	5	1	5	-	2	2	1	-	-	-	8	2 C.P. Awards yearly
ICIANS	16	16	7	4	-	2	2	1	-	-	-	4	2 Colombo Plan,Awards yearly.
P. THERAPISTS	15	11	8	1	-	-	-	-	1	-	-	6	2 Colombo Plan Awards yearly.
IO THERAPISTS	45	25	19	3(U.K.1,N.Z.2)	-	2	1	-	-	-	-	23	2 C.Plan Awards yearly.
OGRAPHERS	150	142	108	17(U.K.2)	2	-	15	-	-	-	-	25	15 Federal Awards yearly
NERS	45	10	4	2	-	1	1	-	-	-	-	39	2 Fed.Awards yearly
.ADMINISTRATORS	45	27	22	-	-	-	-	-	-	-	-	23	5 posts yearly
.ASSISTANTS	1948	1128	901	232	100	10	67	55	-	-	-	815	Intake should be about 200 yearly(Space limited to 180).
ASSISTANTS	500	331	282	54	-	13	-	41	-	-	-	164	Training space limited to 20 yearly.
ENSERS	480	387	224	18	18	-	-	-	-	-	-	238	60 Training post annually
ES	3509	2845	2256	703	357	216	140	-	-	-	-	443	Intake should be about 300 yearly.
. NURSES	3405	2594	2066	251	176	75	-	-	-	-	-	1088	Intake should be about 200 yearly
IVES	2620	2065	1804	232	111	121	-	-	-	-	-	584	Intake should be about 200 yearly.
AL NURSES	4411	510	374	77	-	38	39	-	-	-	-	Nil	Intake 40 yearly.
AL TECHNICIANS	189	114	57	12	-	12	-	-	-	-	-	120	25 posts should be made available yearly
TH INSPECTORS	498	359	331	-	-	In Service Training						167	In service training** Including 81 on second ment to local authorities
-MALARIAL INSPECTORS	332	253	207	-	-	In Service Training						125	In Service Training( Place Limited to 25)
TARY OVERSEERS	664	405	389	-	-	In Service Training						275	In Service Training
JUNIOR LAB.ASSISTANTS	250	186	74	-	-	-	-	-	-	-	-	176	

SOURCE - MINISTRY OF HEALTHS  
 TRAINING DIVISION

At Blunkum  
 (Dato Dr. Abu Bakar bin Ibrahim)  
 (Chawangan Latehan)  
 b.p. Setia Usaha Tetap, Kementerian Kesihatan,  
 Malaysia.



Before the graduate doctor can be considered as a permanent medical officer he would have to undergo a probationary period. The length of the probationary period is determined by the Public Services Commission. For a medical officer the probationary period is 3 years. The temporary appointment is done by the Ministry of Health while the permanent appointment is done by the Public Service Commission.

(ii) Education in dentistry now depends on study abroad. However, active consideration is being given to the early establishment of a dental school within Malaysia so that a permanent solution will be found for the acute shortage of Dental Surgeons.<sup>6</sup>

The dental surgeon too is subject to a probationary period determined by the Public Services Commission. Likewise, the dental officer's temporary appointment is done by the Ministry of Health and its permanent appointment by the Public Service Commission.

(iii) The education of nurses and midwives was previously a state responsibility, but has now been gradually brought under central control i.e. the Ministry of Health. The Nurses Board, established under the Registration of Nurses Ordinance 1950, controls the standard of training for nurses and assistant nurses. Since 1967, the recruitment for nurses and assistant nurses has also been controlled by the Ministry of Health.

The education of nurses is provided basically in 3 schools of professional nursing. They are in Penang, Kuala Lumpur and Johore Bharu. During the period of training, they are required to sit for the examination set by the Nursing Board, Malaysia. The probationary period for the student nurse is 3 years and 4 months.

There are 14 schools for the training of assistant nurses, all based in hospitals. The probationary period is 2 years. The Pupil Assistant Nurse will be required to undergo a course of training, and at the 6 months of training, the probationer will be required to pass a test. On completion of the 2 years probationary period, the probationer who passes the test will be confirmed in the appointment if recommended by the Head of Department.

Midwives (who are not nurses) are trained in 4 hospitals schools, supplemented by domiciliary midwife training centres for field training in home deliveries.

Table 3 will illustrate the training Programmes for this category i.e. for health nurses, Assistant Nurses, and Midwives.

(iv) Training of dental nurses, is provided for in the schools for Dental Nurses and Dental Technicians in Penang. Dr. Milton I. Roemer has described it as a "remarkable programme".<sup>7</sup> Young women are accepted after 11 years of basic

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6. See Brief Report on the Progress of Health Activities in Malaysia (1969) pp.5

7. Witt.O.Assignment Report op cit p. 62



education (School Certificate) and receive 40 months of training equivalent in length to that of general professional nurses. The first 24 months are in the Penang School and the balance are spent in a dental clinic or health centre, under the tutelage of a dental officer. The school was founded in 1949, since when 263 Malaysian graduates have been turned out. The probationary period for the student Dental Nurse is also 3 years and 4 months.

(v) Training of Hospital Assistants. The background of this type of health workers must be traced to the 19th century colonial period, when nurses were not available and British medical officers trained young men, by apprenticeship, for various sundry tasks in hospitals. Eventually they were used in dispensaries outside of hospitals and with the sparsity of doctors, they gradually assumed the role of giving medical care to the population. While there are variations in their precise scope of functions, these personnel all tend to assume wide responsibilities in the diagnosis and treatment of diseases, often with only minimal supervision from physicians. They are used especially in rural areas, where it has been difficult to attract or assign doctors.

At present there are 3 schools for training hospital assistants based in general hospitals. In some, the student takes 12 months along with nurses in an approved school of nursing, the balance of training taking place along the older apprenticeship lines at the elbow of hospital medical officers. Until 1965, this programme was left in the hands of the several State Governments with great disparity in educational standards, but now under the Federal Ministry of Health uniformity is being achieved.

The probationary period is 3 yrs. 4 months. Probationers are required to sit for the examination set by the Ministry of Health before they can be confirmed.

It should be noted that inspite of the responsibilities that hospital assistants have come to be assigned in the Rural Health Services Scheme (RHSS), they do not usually receive any formal training in public health or rural health problems. They are sometimes enrolled for a short course at the Rural Health Training Centre programme.

(vi) Personnel for environmental Sanitation are of 2 main types:-

(a) Public Health Inspector

(b) Public Health Overseer

Their educational preparations are very different.

(a) The Public Health Inspector must have 11 years of basic schooling (Senior Cambridge Certificate) and starts his training with 18 months of field experience under supervision. Then he is enrolled for a 9 month course in environmental sanitation approved by the Royal Society of Health (London). This course was formerly given in an isolated programme operated by the Ministry of Health. Now it is combined with an equivalent course for public health nurses, along with other special courses, in a new Public Health Institute established in Kuala Lumpur.



(b) The public health overseer has much less preparation. He is expected to have basic education of only elementary school (6 years), although the heavy application rate has permitted recruitment of more advanced students (9 years) recently. He starts work without any future education, simply learning by apprenticeship under the guidance of a public health inspector. After he has been employed a year or more, if he is working in the RHSS he may be sent to the Rural Health Training Centre at Jitra or Rembau for a 4 month course in public health. This completes his training at present.

There are several problems related to their training. Firstly, the capacity of the Public Health Institute is 40 public health inspectors per year, to serve the entire country including East Malaysia.

Secondly, the responsibilities carried by the inspectors suggest a need for more than 9 months of education after the 11th year of schooling. The public health overseer, on the other hand, requires some formal instruction before he starts work, if his performance is to be adequate in the RHSS or anywhere else.

(vii) Other types of health personnel e.g. clerks or attendants, get training only on-the-job. At present 40 students are in this school of Medical Laboratory Technology, which requires 11 years of schooling for entrance plus one year in the Institute of Medical Research (IMR) followed by 2 years of apprenticeship under supervision. This is intended to prepare the technician for both medical and public health aspects of laboratory service.

In virtually all these disciplines the flow of applicants is steadily increasing as the output of secondary schools in Malaysia rises. This is permitting higher requirements for admission to the training programmes both in years of schooling and in levels of prior academic performance.

#### B. Training within the Rural Health Services Scheme (RHSS)

The entire RHSS started with the opening of the Rural Health Training Centre at Jitra in 1956 followed by a second centre at Rembau in Negeri Sembilan. Both schools are attached to actively operating main health centres in a rural health unit, and the staffs for teaching and programme operation are somewhat, but not entirely integrated. The Jitra School tends to serve personnel for the Northern States of Malaysia while the Rembau School serves the Southern States.

The schools are best known for their 4 month courses for auxiliary health personnel working in the RHSS. They give essentially in-service training, for the candidate must have worked typically for 1 year in the Scheme before attending the course.

In addition to this instruction, both schools give shorter 'orientation' courses for supervisory personnel in the RHSS. A course of 1 week is given to newly appointed medical and health officers at the head of rural health units,



and sometimes to new district medical officers of health. A 4 week course is provided for public health inspectors and public health nurses in the main health centres, and sometimes for hospital assistants and others.

In 1967 the 2 rural Health Training Centres have been brought under the administrative direction of the Public Health Institute at Kuala Lumpur. This institute is a unit of the Ministry of Health and has not as yet developed formal ties with the University of Malaya. Here, the principal task is to give 9 months course for training public health nurses (after registration as nurses) and public health inspectors. Malaria educational training is also being given.

Table 4 summarises the Training Programme from 1961 - 1965 at locally established Training School and Centres.

#### RELATIONSHIP BETWEEN MINISTRY OF HEALTH AND CONTROL AGENCIES IN TRAINING

In the field of training within Malaysia, the training division in the Ministry is given a free hand to conduct any training programme that it considers necessary. The only limitation to the Ministry's training programmes is the amount of funds that are allocated by the Treasury. It can thus be said that any training programme undertaken must be with the formal approval of the Treasury.

However, the Ministry works with the Training Division of the Public Service Department in conjunction with the training of personnel not within Malaysia e.g. post graduate works and overseas awards.

After training all candidates are subjected to a probationary period of employment. Personnel theory views this as a test of suitability of the various candidates in their jobs. Further, it serves to make the probationer familiar with the job that he is doing and can be considered as an extension of training. In addition to this the probationary period is part of "services" that are rendered by all categories of personnel in the public service. As such it is within the purview of the PSC and the length of the probationary period is arrived at through consultation with the Ministry of Health.

After the expiry of the probationary period, if the various candidates are successful they will be put in the permanent appointment list. The confirmation is done by the PSC and this is with the approval of the Ministry.

Although the objectives of the probationary period are well meant, it is only theoretical in the Malaysian context. This is because under the pressure of Malayanisation the probationary period, in many cases, has not been regarded as a period of training and performance appraisal and an officer is generally given the actual normal duties of the post. There are exceptions where training is given but these are largely confined to technical appointments in the lower grades which recruit officers with liberal education certificates.



TABLE 3 TRAINING PROGRAMMES FOR NURSES,  
ASSISTANT NURSES, AND MIDWIVES

Category	No. of Schools (1968)	Minimum Entrance Requirements (yrs. of school)	Median Educa- tional level of entrants (1968) (yrs. of school)	Language of Instruc- tion	Length of Programmes	Annual Output (Average 1963-67)	Type of Pro- gramme	Public Health Experience
Registered Nurse	4	11	11	English	40 mos.	240	Basic nurse programmes	4-12 weeks
Assistant Nurse	16	9	10	English/ National Language	24 mos.	230	Practical	4-6 weeks
Midwife Div. I	4	Registered Nurses		English	12 mos.	160	Nurse Midwife Programme	Domiciliary 3-6 mos.
Midwife Div. II	14	6	9	National Language	24 mos.	132	Simple nursing midwifery	Domiciliary 6 mos.



Apart from having passed examinations, there is therefore little difference between a confirmed officer and probationer, in terms of capability of performance.. Planned posting or attachments are also generally absent during this period and cases where officers continue to serve in the same post for a considerable period prior to and after confirmation are not uncommon<sup>9</sup>

Recommendations have been put forward to rectify the misuse of the probationary period. These include the utilisation of the probationary period prior to confirmation purely as a training period during which officers are given formal training as well as informal training by way of planned attachments and work assignment and that the confidential reports, submitted to the service commissions or other appointing authority , include information on the attachments or assignments given to the probationer and an appraisal of his performance during the attachments.<sup>10</sup>

If the recommendations are adopted the probationary period leading to confirmation would be more meaningful.

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9. Training For Development in West Malaysia, A Report by Development Administration Unit and Staff Training Centre, November 1969. p. 83.

10. Ibid p. 83.



**TABLE 4**  
**TRAINING PROGRAMME, 1961 - 1965 - AT LOCALLY ESTABLISHED TRAINING SCHOOL**  
**AND CENTRES**

Type of Training School/Centre	No. of School/Centre	Maximum In-take Capacity per annum	Duration of Course	No. trained or qualified 1961 - 1965	No. in training 1966	R E M A R K S
Faculty of Medicine, University of Malaya	1	100-120	6 years	-	274	Established in 1963.
School of Nursing	3	300	40 months	107(males) 691(females)	168(males) 691(females)	Penang established in 1947; Kuala Lumpur in 1959; J. Bahru 1960.
School of Dental Nursing	1	40	24 months	147*	115	*33 students from outside West Malaysia.
Dental Technicians' School	1	15	24 months	30*	31	*15 students from outside West Malaysia.
Assistant Nurses' Training Centre	16	569	24 months	2285	399	
Midwives' Training Centre	14	350	24 months	1577	315	
Nurse-Midwife Training Centre	4	188	12 months	442	176	Intake in 2 batches a year of 94 per batch.
Public Health Inspectors' Training School	1	24	1 academic yr.	90	7	Established in 1959.
Public Health Visitors' Training School	1	24	1 " "	65	27	Established in 1964.
Anti-Malaria Inspectors' Training School	1	60	12 weeks	89	19	Established in 1961.
Dispensers' Training School	1	60	36 months	84	46	Established in 1956.
School of Radiography	1	15	24 months	25	30	Established in 1963.
Laboratory Assistants' Training School	1	20	36 months	75	13	Established in 1961.
Rural Health Training School	2	Supervisors 80 Auxillaries 120	4 weeks 16 weeks	85 220	25 33	Jitra established in 1956 and Rembau in 1966 - Annual intake in two batches of 40 supervisors and 60 auxillaries per batch.
Tuberculosis Training Centre	1	T.B. Control Methods (Supervisory) 48	4 weeks	437	26	Established in 1961.
		T.B. Control Methods (Auxilliary) 168	8 weeks	649	70	Established in 1961.
		Lab. Techs. 10	6 months	25	-	Established in 1963.
		X-ray operators 60	4 months	99	-	Established in 1962.

Source of information: Quarterly Return from Training Schools and Centres.



## CHAPTER V

### DISCIPLINE

#### Introduction

Discipline is said to be among the most difficult problems of personnel administration.<sup>1</sup> This is because disciplinary actions are naturally unwelcomed by employees, and it is a rare supervisor who is sadistic enough to enjoy the administration of discipline, especially in its more severe forms. But public officials in the Ministry cannot avoid these problems by ignoring them, for sooner or later they arise in every organisation including the Ministry. No matter how unpleasant discipline is, we have to admit that it performs certain functions. The very institution of discipline supports this view-point.

#### The necessity and objective of disciplinary control

Disciplinary control is essential for the proper and efficient functioning of any organised activity. Discipline enforces conformation to a certain Code of Conduct and provides punitive measures for those who fail to abide by that code. Without such control no organised activity would remain functionally stable and efficient in the fulfilment of its purposes.<sup>2</sup>

The Ministry of Health, like all other Government Agencies, exists to execute the policy of the Government in serving the public interest. Each and every public officer in the Ministry, therefore, plays a definite role in fulfilling that objective. It follows that it is essential that they all be subjected to disciplinary control in Order that:

- (i) the integrity and the good name of the Ministry may be maintained.
- (ii) the most efficient service is rendered to the public.
- (iii) those who commit a breach of the Code of Conduct as set out pertaining to the public services in general or neglect to carry out their responsibilities can be suitably punished.

Discipline can be considered as a negative method of fostering efficiency. This is because its purpose rests on bringing about corrective or salutary effect through punitive and deterrent measures.

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1. Municipal Personnel Administration, published for the Institute for Training in Municipal Administration by the International City Managers' Association, p. 262.
  2. Guide to Disciplinary Control in the Public Service, compiled and issued by the Public Services Commission Malaysia, 1967. p. 1



PUBLIC OFFICERS (Conduct and Discipline) (General Orders, Chapter 'D') Regulations, 1969

Prior to the promulgation of the Essential (General Orders Chapter D) Regulations 1969 the regulations covering this aspect of personnel administration was known as the Public Officers (Conduct and Discipline) (General Orders, Chapter D) Regulations 1968. It sets down the regulations and procedure pertaining to discipline and Code of Conduct in the public service and hence in the Ministry of Health.

After the proclamation of Emergency the Director of Operations in exercise of the powers conferred under Section 2 of the Emergency (Essential Powers) Ordinance No. 1 1969 designated under Section 2 of the Emergency (Essential Powers) Ordinance No. 2, 1969 made a new set of regulations to be known as the Essential (General Orders, Chapter D) Regulations, 1969.

In its preamble the Regulations state that as long as the state of Emergency continues to be in force the provisions of the Public Officers (Conduct and Discipline) (General Orders, Chapter D) Regulations, 1969 as set out in the schedule shall have effect in place of the Public Officers (Conduct and Discipline) Regulations 1968.<sup>3</sup>

The Regulations carry the force of a subsidiary legislation and any action taken under them may therefore be contested in a court of law.<sup>4</sup> Hence strict adherence to the procedures.

Punishable actions and punishment.

In Malaysia regulations impose certain duties as well as certain prohibitions on civil servants, failure in each case rendering the officer liable to disciplinary procedures.<sup>5</sup> This can be evidenced by quoting from General Orders 3 (c) & (d) which represent part of the Code of Conducts in the Public Service.

"(c) an officer shall not conduct himself in such a manner as is likely to bring his private interests into conflict with his public duty;

(d) an officer shall not conduct himself in such a manner as he knows, or as can be reasonably expected to know, that such conduct is likely to cause a reasonable suspicion in the minds of the public that -

(i) he has allowed his private interests to come into conflict with his public duties and thereby impair his usefulness as a public officer; or

(ii) he has used his public position for his private advantage;

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3. See Public Officers (Conduct and Discipline) (General Orders, Chapter 'D') Regulation, 1969 p. 22

4. A court of law, however, can only adjudicate over procedural matters and not on the nature of punishment awarded as this is a prerogative of the Disciplinary Authority.

5. Handbook of Civil Service Laws and Practices, United Nations, New York, 1966 p. 114



According to the United Nations Handbook<sup>7</sup> "the point of importance is that proof is not needed of misconduct; it is only needed of reputation of misconduct."

As regards punishment the Conduct and Discipline Regulations make no attempt to list all permissible punishment. They mention dismissal as the major punishment, but permit a Disciplinary Authority to punish by "fining, reduction of rank or otherwise as may seem to him just."

### Punishing Authorities

In the Ministry of Health, like the other Federal Ministries, the person empowered to impose penalties vary with the status of the person punished and also with the seriousness of the penalty. For serious offence he is usually separate from the person who initiates the proceedings (the prosecutor) and the person who presides at the disciplinary enquiry. For petty offences prosecutor and judge may be combined. The Head of Department is allowed to punish sub-clerical staff, daily-rated staff and all officers apart from Division I superscale grade. The Chief Secretary is the authority for the Division I Superscale officers.

### The disciplinary process

The disciplinary process involves four distinctive stages of action. They are as follows:-

- (i) receipt of report or complaints
- (ii) charging an officer
- (iii) giving him a reasonable opportunity of defending himself.
- (iv) punishment

#### (i) Receipt of report or complaints

The institution of disciplinary proceedings originates from a complaint being made against an officer from some source usually from his immediate superior or some other more senior officer under whom he is serving. The Head of Department, upon receiving such complaints, is required to carry out a preliminary investigation to ascertain whether the complaint is legitimate and justifiable. In the light of evidence produced he is to proceed to initiate disciplinary action himself or report the matter to the Disciplinary Authority. Some of the major bases for disciplinary action are:-

- (a) Criminal involvement
- (b) Misconduct
- (c) Irresponsible attitude and inefficiency
- (d) General unsatisfactory work and conduct
- (e) Insubordination and impertinence
- (f) Pecuniary embarrassment
- (g) Surcharge action arising from loss of Government money or equipment.

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6. Public Officers (Conduct and Discipline) Regulations, op cit, p. 24  
7. Handbook of Civil Service Laws and Practices, op cit, p. 114



(ii) Charging an officer

The charge(s) form a Schedule to a covering letter which state under what section of the General Orders' disciplinary action is being taken against an officer and whether such action is instituted with a view to dismissal or punishment less than dismissal. The officer is given a reasonable period, usually between 14 and 21 days from the date a charge is received by him, within which to submit his reply. The period depends on the gravity of the case and is considered effective from the date a charge is received since it may take sometime before a charge can be actually served on the officer through the appropriate Head of Department.<sup>8</sup>

The onus of proof that a charge has been served rests with the Head of Department. Hence, the necessity that its receipt be acknowledged in writing.

(iii) Giving him a reasonable opportunity of defending himself

The opportunity to make a written reply to the charge is in conformity with the requirements of General Orders and Article 135 (2) of the constitution relating to the public services which stipulates.

"No member of such a service as aforesaid shall be dismissed or reduced in rank without being given a reasonable opportunity of being heard."

In the case where an officer fails to submit his reply within 14 to 21 days as specified in each case it is necessary to reascertain whether the charge had been served on him and when. If there is any uncertainty this has to be cleared as any decision made on the case will be rendered null and void if the charge had not been actually served on the officer and he had not been given a reasonable opportunity to submit his answer. Where there is definite proof to show that he has received it a final reminder is served by hand or under A.R. Registered cover requesting him to submit an answer within 7 days. This will serve as a last opportunity to show cause. If no answer is received after this, it is construed that the officer does not wish to make a defence and his case considered forthwith.

A further opportunity of showing cause through a personal hearing is normally extended to an officer charged with a view to dismissal and who has failed to exculpate himself through a written submission. Such a hearing or inquiry is fixed by the Disciplinary Authority. At such a hearing the officer is given a chance to scrutinise all documents connected with his case, give oral evidence, call upon witnesses for his defence and cross-examine the Departmental representative or witness appearing against him. The officer is sometimes given permission to engage an Advocate and Solicitor or a senior member of the public service to represent his case. However, all expenses connected with an incurred by the officer for making his defence is borne by him.

The inquiry is conducted by a committee consisting of not less than two senior Government officers who are appointed by the Disciplinary Authority (G.O. 30 (5)).

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8. This assumes that the charge originates from a Disciplinary Authority other than the Head of Department himself.



Since this is the last stage in the disciplinary process, it is self-explanatory. As said earlier, types of punishment ranges from dismissal to fining depending on the gravity of the offence.

### Role of Ministry in Discipline

It is noted that the 2 major agencies involved in this area of personnel administration are the Ministry of Health and the Disciplinary Authority. Because there are at least 7 major bases for disciplinary action,<sup>9</sup> there will also be at least 7 major corresponding procedures for disciplining officers. An interesting question can be posed here i.e. Is the role of the Ministry the same in all instances? We can attempt to answer this question by comparing the Disciplinary procedure for 2 different breaches of Code of Conduct of public officer viz criminal involvement and misconduct.

The first offence i.e. criminal involvement includes all the offences which involve apprehension by the Police and a trial in a Court of Law. As soon as arrest is made by the Police on an officer, action must be taken by the Head of Department to find out the facts and circumstances of his arrest and if possible, to obtain a copy of the charge preferred against him. On the basis of the information the Head of Department should immediately report the matter to the Appropriate Disciplinary Authority giving his opinion and recommendation as to whether it is necessary or not to interdict the officer in the interest of the Department. Since any undesirable consequences would follow from the date an officer is actually arrested by the Police, interdiction should take effect from that date. Where the Disciplinary Authority does not agree to an interdiction, an officer provisionally interdicted by a Head of Department shall be allowed to resume work and no interdiction shall be deemed to have been imposed on him. As such, we can see that the Disciplinary Authority have an overriding power with regards to interdiction of an officer. It can undo what the Ministry had undertaken.

An officer who is found guilty or convicted in court is normally suspended from service with effect from the date of conviction under the provision of General Order 34. On suspension from duty an officer will cease to be paid any emolument and neither will the unpaid portion of his salary whilst under interdiction be refunded.

Where an officer charged in court for a criminal offence is acquitted and discharged he will immediately be allowed to resume duty if he had earlier been interdicted. The approval of the Disciplinary Authority will be formally required to revoke the order of interdiction and the unpaid portion of the officer's salary will be refunded.

It can be seen from above that the Disciplinary Authority hold the reins of power in disciplining public officers. The Ministry's role is merely at the preliminary stage. Nevertheless, the role is an important one since

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9. See p. 25

10. See Public Officers (Conduct and Discipline) (General Orders, Chapter 'D') Regulations 1969.



the Ministry is given the prerogative to decide whether the offence is serious enough to merit the Disciplinary Authority's involvement.

The second offence i.e. misconduct arises when an officer breaches the Code of Conducts as given in General Orders 3.<sup>10</sup> Misconduct generally involves a specific act already performed which is unbecoming of a public officer and is bound to bring disrepute or is prejudicial to the good name of the Public Service.

The procedure followed here is that every allegation of misconduct against an officer must be first investigated by the Head or sub-Head of the Department. On the basis of the investigation, the Head of Department will decide whether the misconduct is serious enough to justify a report to be made to the Disciplinary Authority.

If the misconduct is a first offence and of a minor nature the Head of Department may deal with it himself by according whatever punitive or deterrent measures he considers suitable. Article 135 (2) of the Constitution further requires that for this disciplinary leading to dismissal or reduction in rank the officer concerned must be given the opportunity to be heard before such punishment is imposed.

Where the Head of Department considers that serious disciplinary action should be taken by the Disciplinary Authority, a report of the misconduct must be submitted as early as possible. The report must also contain a recommendation as to the nature of punishment to be awarded.

On receiving the report and relevant documents the Disciplinary Authority after determining that a 'prima facie' case exists will proceed to charge the officer under General Orders 30. When disciplinary action is instituted against an officer with a view to dismissal or reduction in rank General Orders 30 (2) requires that the aid of the Legal Department is obtained in drafting the charges.

An officer is allowed at least 14 days to reply to the charge, depending on the complexity of the case. If after consideration of the evidence, the Disciplinary Authority feels that the misconduct of the officer is not serious enough to warrant dismissal or reduction in rank, the Disciplinary Authority will impose upon the officer such punishment as it considers befitting. Where the Disciplinary Authority considers that the case against the officer requires further clarification, it will appoint a Committee of Inquiry consisting of not less than two senior Government officers. The committee having inquired into the matter, will make a report to the Disciplinary Authority. On the basis of the Committee's report the Disciplinary Authority will accord whatever punishment is necessary and this ranges from dismissal to some lesser punishment.

#### CONCLUSION

From the above we can see that the gravity of the second disciplinary proceeding i.e. misconduct justifying dismissal or reduction in rank warrants the procedural safeguard that the officer must be given the opportunity of



being heard. However the role of the Ministry in both instances remain basically the same i.e. merely investigating to ascertain the seriousness of the offence and to make a report to the Disciplinary Authority. The over-all control of discipline lies in the hands of the Disciplinary Authority.

## CHAPTER VI

### PROMOTION

#### Purpose of promotion

The promotion plan is intended to improve the quality of work in the government service. A well-devised plan accomplishes this. First, by securing the best persons to fill each vacancy of the higher levels of the service; second, by increasing the efficiency of employees through incentives of advancement for superior work; and third, by improving the morale of the service through the realization that promotion is a reward for meritorious service.<sup>1</sup> To a large extent, the personnel plan in the Ministry can be evaluated by its success in accomplishing these purposes.

#### Problem of promotion

The problem of promotion, from the Ministry's view, is one of making the maximum use of existing ability, and ensuring that those best fitted to assume higher responsibilities are eventually entrusted with them. There are two alternative approaches to solving this problem. One is the provision of a promotion ladder and fair promotion procedures and the other is to accept a liability to assist the staff to climb the promotion ladder.<sup>2</sup> The Ministry can be said to have chosen the second alternative approach because facilities in the form of provision of internal training courses and the grant of assistance to undertake training or educational courses at home or abroad exist for the public servants holding posts in the Department. Participation in such training programmes enable them to qualify for advancement within the service.

#### Definition of promotion

In the Ministry, 'promotion' in relation to officers other than those in the Superintending Clerical Service means promotion within a scheme of service. In relation to officers in the Superintending Clerical Service it means promotion to the General Clerical Service.<sup>3</sup> Promotion to higher grades within the same service sometimes depends on the officers passing the departmental examinations prescribed by their scheme. There are also avenues of promotion for certain categories of officers in one service to another higher service.<sup>4</sup>

1. Efficient Personnel Administration, published for the Institute for Training in Municipal Administration by the International City Managers Association, p. 771
2. Handbook of Civil Service Laws and Practices, United Nations, New York 1966, p. 112
3. Public Services Promotion Board Regulations, 1967 Malaya, p. 274
4. Report of the Royal Commission on the Revision of Salaries and Conditions of Service in the Public Services, Malaya, July 1967 p. 54



## CHAPTER VI

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1. Municipal Personnel Administration, published for the Institute for Training in Municipal Administration by the International City Managers Association, p.173
2. Handbook of Civil Service Laws and Practices, United Nations, New York 1966, p.112
3. Public Services Promotion Board Regulations, 1967 Malaysia, p. 271
4. Report of the Royal Commission on the Revision of Salaries and Conditions of Service in the Public Services, Malaysia, July 1967 p. 64



## Basis of promotion

In accordance with General Orders 30, officers in the Ministry are selected for promotion on the basis of official qualifications, experience and merit. Only where two candidates are adjudged of equal merit will preference be given to the senior. In judging merit due consideration are given to the general suitability of an officer for the post for which he is being considered.<sup>5</sup>

It seems to be reasonably clear that the intention is that the overriding consideration for promotion should be merit. However, according to Suffian Report "regardless of the provisions of this General Order, seniority appears to have played an inordinately important role in promotions."<sup>6</sup> This impression is obtained from discussions with officers still in service as well as those who have left the service. This view is in agreement with Professor John Dr. Montgomery and Professor Milton J. Esmon's report<sup>7</sup> which said that "the present emphasis on seniority in promotions tends to reward mediocrity and time serving and must be supplanted by greater emphasis on objective tests and controlled supervisory judgements of the employee's potential for more senior service."

The above mentioned reports are based on the study of the whole Public Service. The findings, however, are not irrelevant to the Ministry of Health since the Ministry is part of the Public Service and shows the same characteristic failings of the other departments. As such if the Ministry wishes to operate at an optimum level it should put merit above seniority in the consideration of promotion as suggested by the Suffian Report<sup>8</sup> or at least adhere to the letter the ruling of General Orders 38.

However, the adoption of a merit system brings us to other problems. This is because a merit system implies confidence in a capacity to decide relative merit. The main tool to make the decisions is staff assessment or notation, and on the validity of the system of staff assessment used, depends the validity of the merit system and "there are few subjects in administration on which more has been written more confidently, and yet on which more doubts are still held, than staff rating".<sup>9</sup> The end result of switching from promotion based on seniority to one based on inaccurate merit-rating system would be essentially the same.

Furthermore, employees themselves tend to prefer seniority as the basis of promotion. This is because seniority eliminates discord among their number

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5. See General Orders 38, p. 10

6. Suffian Report, op cit, p. 101

7. Development Administration in Malaysia by Professor John De Montgomery and Professor Milton J. Esmon p. 8

8. Suffian Report, op cit p. 102

9. Handbook of Civil Service Laws and Practices, United Nation, New York, 1966 p. 72.



and diminishes the likelihood of cliques, it is certain, however slow; and it is relatively immune from political interference. It is further defended on the grounds that older employees tend to have lost their skill in passing examinations, although their actual usefulness in an office may be much greater than that of a young man, clever at writing answers to questions.<sup>10</sup>

The Ministry, therefore, have to be constantly aware of these problems when putting merit in the fore-front.

It is also desirable that officers should be promoted to higher appointments only after they have been trained to assume the higher responsibilities. This is particularly so in respect of promotion to Superscale Division I appointments in the professional and non-professional services. Promotion, in such cases, often involves a complete change of functions e.g. from a purely specialised or professional function to administrative and management functions. Unless the professional and non-professional officers are trained to become managers and administrators on the basis of their potentialities for such work, they may become misfits or failures on promotion to Superscale appointments.

The need for preparation is also true for lower positions in Division II and III, particularly in the latter case where promotions are generally much slower than in Divisions I and II and where officers are promoted for the first time at an advanced age of 40 or above. Long periods of service as subordinate officers tend to perpetuate "subordinate mentality" even after promotion to supervisory appointments.<sup>11</sup>

Preparation can be in the form of training undertaken prior to actual promotion. This means that officers with potentialities for promotion should therefore be selected for training with a view to further selection for promotion. Where it is not possible to train officers prior to promotion, as in the case of Division III officers especially in common - user services, in which the field of selection is wide, officers could be sent for training immediately on promotion.<sup>12</sup>

Officers who are promoted are usually subjected to periods of acting appointments. This is felt to be necessary especially where it is not possible to be certain of the suitability of the most qualified officers for promotion. The purpose of these acting appointments is in order to measure how the officers shape in the higher posts. A frequent complaint is that officers are made to act in higher appointments for lengthy periods without being confirmed. It is felt that it is unfair to the officer and to the service generally, to keep an officer in suspense in an acting appointment for a period in excess of one year. Long acting appointments are most unusual and in many overseas countries the maximum period is not more than six months. At the end of that period the officer is automatically confirmed in the post.

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10. Municipal Personnel Administration, *op cit*, p. 189

11. Training For Development in West Malaysia, A Report by Development Administration Unit and Staff Training Centre November 1966 pp. 83-84.

12. Ibid, p. 84



It would greatly help avert the dissatisfaction of the officers if the Government adopted the six month ruling as practised in many overseas countries. However, this rule cannot apply in all cases. It cannot, for instance, apply when the post has been substantively filled and the substantive holder is away on duty in another post either in Malaysia or overseas. In these circumstances a promotion cannot of course be made, and only in such a case should an acting appointment extending to more than a year be allowed.

#### Public Services Promotion Boards - Functions and Composition

Prior to the enactment of the Public Services Promotion Board Regulations, 1967 the Public Services Commission handled all promotions. After the enactment of the Regulations, most of the promotion activities are handed over to the Head of Department who chairs the Promotion Boards to consider promotion of all personnel other than those of Superscale 'J' grade and above for men, and Superscale 'M' and above for women.

The composition of the Public Services Promotion Boards differs for the various categories of personnel in the Ministry. For promotion to posts in Division I, II and III other than posts of Superscale 'J' grade (women officers, Superscale 'M') and above the Board consist of the Permanent Secretary to the Ministry of Health as Chairman, the Head of the Department of Division in which the vacancy occurs and representative of the Director - General of Establishments as members. It is noted that the Board does not consist wholly of Ministry of Health officials. There is also a representative of the Director - General of Establishments.

For promotion to posts in Division IV the Board consists of the Head of Department or Divisions as chairman and the Deputy Head of the Department or Division as member. In this case promotion is solely in the hands of the Ministry.

For promotion to post of Superscale 'J' (Women Officers, Superscale 'M') grade and above the Board consist of the Chief Secretary to the Government as Chairman, Secretary to the Treasury and the Director - General of Establishments as members. Owing to the seniority of the posts, promotion is no longer within the jurisdiction of the Ministry.

#### Public Services Promotion Appeal Boards - Functions and Composition

In accordance with the Public Services Promotion Board Regulations, 1967, Public Services Promotion Appeal Boards were also established. The functions of the Boards are to receive, consider and decide on any appeal made in accordance with the provisions of the Regulations with respect to any decision of the Boards relating to the promotion of an officer in any of the services over whom the Boards have jurisdiction. Like the Promotion Boards, there are different Appeal Boards for different categories of personnel in the Ministry.



For the Division I personnel there is a corresponding Division I Appeal Board, constituting of members of the Public Services Commission for the time being appointed under Article 139 of the Federal Constitution. The Chairman of the Public Services Commission is the Chairman of the Division I Appeal Board. Likewise for the Division II, III and IV personnel there is the Division II, III and IV Appeal Boards.

It is observed that all promotions are merely provisional and are not confirmed until all relevant appeals have been determined and have been disallowed, or if no appeals are made until the time allowed for the making of such appeal has expired. Further, the Board may at any time cancel a provisional promotion.

The procedure set down for an appeal is that on appeal should be made in writing by the aggrieved person to the Appeal Board through his Head of Department. Such an appeal should be made within 14 days from the date on which the decision to be appealed against is published. The Head of the Department should then submit the appeal together with his comments to the Board as early as possible.

On receipt of the appeal, the Chairman of the Promotion Board would have to prepare records of the meeting before the Board and the statement setting out the grounds on which the Board arrived at its decision. Such records should be sent to an Appeal Board within 30 days from the receipt of the appeal by the Board. The Chairman of an Appeal Board would then convene a meeting of the Appeal Board to consider the appeal. The decision of that Appeal Board would be final.

It can be seen that the setting up of Appeal Boards provide a measure of elasticity on the decisions made by the Promotion Boards.

#### Role of Ministry in Promotion

It is observed that as far as promotion activities are concerned, the Ministry plays a definite and important role only with regards to personnel in the lower echelons of the public service such as those in Superscale J grade and below for men and Superscale M for women in the Division I, II, III, IV and Industrial and Manual Group. For the posts higher up in the administrative structure it is no longer within the purview of the Ministry. This conclusion is arrived at by looking at the composition of the Promotion Boards. As noted earlier in this chapter the composition of the Promotion Boards for the former consist mainly of Ministry of Health Officials whereas for the later the Board consist of no Ministry of Health officials but the Chief Secretary to the Government as Chairman, Secretary to the Treasury and the Director - General of Establishment as members.



## CHAPTER VII

### RETIREMENT

#### Introduction

Retirement can be considered as the last stage in the personnel - administration cycle of the Ministry. Like all the other stages in the cycle, the Ministry works in close coordination with other Control Agencies viz Treasury and Public Services Department in its administration. Two directives i.e. Pensions Ordinance, 1951 and Pensions Regulations 1957 provide the necessary guide-lines in the administration of retirement procedures and computation of retirement benefits.

#### Criteria of eligibility for retirement benefits

To be eligible for a pension, every officer should have retired in prescribed circumstances as laid down in the Pensions Ordinance 1951 and should have completed at least ten years service.<sup>1</sup> For the purpose of awarding pensions, public officers are classified into three broad categories as follows:-

- (i) Holders of pensionable offices (pensionable officers);
- (ii) Holders of non-pensionable offices (non-pensionable officers);
- and (iii) Officers paid from open votes

The above 3 categories of public officers are eligible for the payment of pensions, annual allowances and gratuities under norms in that order. However, open vote monthly-rated officers with 15 years service are eligible for annual allowances and not commuted gratuity.

#### Procedure for effecting payment of retirement benefit

Under the present procedure computation of pensions is being done centrally at the Ministry headquarters. However, some of the states put up draft computations on Form Kew 100.<sup>2</sup> These include Penang, Kedah, Perak, Selangor and Johore. For the other states and Federal Institutions, computations of Pensions are done by the Ministry. In addition to Pensions, the Ministry also computes Marriage Gratuity, Death in Harness and Contract Gratuity.

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1. See 'Laporan Kajian atas Sistem Pembayaran Penchen chawangan Analisa Pengurusan Bahagian Perjawatan, Jabatan Perkhidmatan Awam, Malaysia, p.4
  2. Before any payment can be made there are certain necessary forms which have to be filled and these forms must be accompanied by the necessary documents. Form Kew 100 is one of these forms.



These papers will then be checked and computed <sup>where</sup> necessary by the Financial Assistant before being despatched to the Auditor - General for verification, where applicable. After verification, the papers are sent back to the Ministry for approval in the case of Division III and IV and IMG employees. However, the Ministry's approval is not needed for those in the common user scheme e.g. clerks. In the case of Divisions I and II officers, the Ministry in turn will forward the verified pension papers to the Public Services Department for approval of the payment of pensions. The approved pension papers are then sent to the Accountant - General for payment.

Payment is effected either direct to the officers or through the Head of his former department. In all cases the Ministry is notified when the pensioners receive their pensions/annual allowances/gratuities. However, delayed information on this is not unusual.

The general procedures for the preparation of pension/annual allowance/gratuity papers in the Ministry of Health is that firstly the Central Registry receives pension papers with related documents from Chief Medical and Health officers and Federal Medical Institution and encloses them in the personal file of officers. Where there is no personal file, then a new file is opened registered under the numbers allotted to a State/Institution for this purpose. The files are then passed to Pension Clerks.

The Pension Clerks then check that the pension papers are accompanied with all the relevant documents necessary for the purpose of preparation of pensions and that they are in order. Further, they check also the correctness of entries made in all the documents submitted. Having done this, they then compute pensions/annual allowances/gratuities in draft and submit pension papers for typing. After the pension papers have been typed he will submit it to the Financial Assistant for his signature as Computing Officer. The pension papers and memos will then be passed to Auditor - General for the signature of the Assistant Secretary on memos.

After all this has been done the Pension Clerks then arrange pension papers for despatch to the Auditor - General by Registry. The Registry then receives audited pension papers from the Auditor General and encloses them in file and passes it to Pension Clerks.

The Pension Clerks then prepare memos to Public Services Department in the case of Division I and II officers, and memos to Accountant - General in the case of Division III, IV and I.M.G. officers for signature of Assistant Secretary. After the memos have been typed they will send the memos and pension papers to Assistant Secretary for (a) in the case of Division I & II his signature on memos and (b) in the case of Division III, IV and I.M.G. officers for his approval to pay pensions, allowances/gratuities and also his signature on memos to Accountant General.

Having obtained the signed documents and memos the Pension Clerks then arrange pension papers for despatch to Public Services Department in the case of Division I & II and the Accountant - General in the case of Division III, IV and IMG with copies to the Auditor - General and Operating Units.



### Problems inherent in the Retirement Procedure

It can be seen from the above description of the procedures for the preparation of pension papers that it is lengthy and tend to be tedious. A survey made by a team of management analysts have come out with a table illustrating the range of time in the various stages for effecting payment of pensions.<sup>3</sup> (see Table 5). It can be seen that the aggregate time taken for effecting payment of pension ranges from 53 to 739 days for all the various types of payment. This has led to numerous complaints being made from various quarters over the late payment of retiring benefit and gratuities. They felt that this is grossly unfair to the officers who have put in many years of loyal and dedicated service to the Government.

Many factors can be cited as giving rise to this sorry state of affairs in the Ministry. Firstly, the present communication channel for the purpose of making queries is cumbersome and not oriented towards efficient and speedy action. For example, a query from the Public Services Department will first be directed to the Ministry Headquarters. The Ministry Headquarters will copy-type the query and pass it down to the state/region who in turn will pass it further down to the office where the officer is serving. The reply to the query will be made through the same communication link upwards. Therefore delay also arises from the communication process as naturally at every stage some time will lapse before action is taken.

The second problem with respect to the present communication process is the back-tracing in the flow of papers e.g. draft papers are sent to the Audit Department for auditing and after the papers are duly certified by the Audit, all papers, including those to be approved by the Public Services Department are returned to the originating department. On receipt of these papers the Department will approve those papers that are within their authority to approve and forward them to the Accountant-General for payment. Other papers are submitted to the Public Services Department for approval which are then returned to the Department for onward transmission to the Accountant-General for payment. However, approved papers in respect of Division I and II officers with mixed services are referred to the Accountant-General by the Public Services Department in the individual file of the officers.

The communication channel reflects the existing relationship between the Ministry and the Control Agencies. The above-mentioned problem in the communication-link-up leaves much to be desired.

Another reason for the delay of payment of pensions can be said to be the result of lack of knowledge on the part of officials where draft pension papers are prepared. The main cause of lack of knowledge is the non-availability of all circulars in the various departments issued from time to time by the Central Agencies as circulars are not kept properly. It should also be mentioned that the Central Agencies send limited copies of circulars to the Ministry. As a result there are insufficient copies of circulars to be distributed to the

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3. Op cit, Laporan Kajian Atas Sistem Pembayaran Penchen, p. 11



various departments in the field. For example, the various circulars provided for the Ministry of Health could only be spared to the various Chief Medical and Health officers' offices, who would in turn have to reproduce copies of the circulars for onward transmission to the various hospitals and health centres. This is time-consuming if every circular has to be issued in this manner. Further where an oversight occurs in the reproduction of these circulars the field officers would of course be without the circulars.

Thirdly it is noted that queries made by the Public Services Department and the Audit Department are often piecemeal. For example, on receiving pension papers from the various departments, the Public Services Department/Audit Departments first check the particulars entered in the accompanying documents to the pension papers and where mistakes/oversights are discovered, then queries would be raised. On receipt of replies to the queries raised, the Public Services Department/Audit Department would then check on the actual computation papers and raise queries again if mistakes occur. With the existing procedures on communication such piecemeal queries will inevitably lead to unnecessary delays. This is because, more often than not, the queries can only be answered by the department/unit where the officer was serving.

Delay in respect of one-time payment like contract gratuity, marriage gratuity and leaving bonus is due to the fact that it is necessary to get the clearance from the Inland Revenue Department before payment can be made. Where the Income Tax Returns of the officers concerned are available and up-to-date, the Inland Revenue Department would be able to supply the clearance certificate within 3 weeks. Otherwise, it is necessary for the Inland Revenue Department to get in touch with the officer concerned to obtain the necessary particulars for assessment purposes. This may take months depending on how fast the officer himself submit the required particulars to the Inland Revenue.

In the case of marriage gratuity/leaving bonus of a woman officer, her application for retirement/resignation on account of marriage must be approved first. In both instances the matter must get the approval of the Public Services Department - the former by the Pension Section while the latter by the In-Service Section of the Service Division. In both cases the documents required are the same, namely, the statement of service, marriage certificate and the application for retirement/resignation on account of marriage. However, when the In-Service Section of the Service Division has approved the retirement/resignation of an officer on account of marriage, the marriage certificate and statement of service of the officer are returned to the department when the In-Service Section conveys its approval. Subsequently, the Pension Section will request for the same marriage certificate and the statement of service from the department in order for it to consider the granting of marriage gratuity/leaving bonus. There is therefore no effective liaison between the two sections of the Service Division which results in the submission of the same documents for the above two different purposes to the Public Services Department.

All the above factors hindering the speedy preparation of pension papers arise because of existing relationship between the Ministry and Control



TABLE 5

RANGE OF TIME IN THE VARIOUS STAGES  
FOR EFFECTING PAYMENT OF PENSION

No.	Types of Payment	TIME RANGE IN DAYS				
		Computation	Auditing	Approving	Paying	Aggregate
1.	Death-in-harness gratuity	15-350	13-22	18-327	23-40	69-739
2.	Contract gratuity	17-260	7-22	17-133	17-41	58-456
3.	Marriage gratuity Leaving bonus	40-100	7-20	10-30	30-60	87-210
4.	Pension/ Annual Allowance/ Gratuity- Compulsory retirement on reaching the age limit	74-126	11-21	15-40	14-21	114-208
5.	Pension/ Annual Allowance/ Gratuity - optional retirement	36-217	10-18	14-67	14-21	74-325
6.	Pension/ Annual Allowance/ Gratuity - mixed Service	47-71	7-22	32-170	14-21	100-284

SOURCE - LAPORAN KAJIAN ATAS SISTEM PEMBAYARAN PENCEN



Agencies as regards retirement. Constructive steps need to be taken to remedy this situation. Nevertheless, delays are also due to other reasons which do not reflect the lack of coordination between the Ministry and Control Agencies. Under this category, bottleneck in the Ministry would be included. At present all pension papers except five states are being submitted to the Ministry for computation and subsequent reference to the Auditor - General for verification of the pension papers and to the Public Services Department and Accountant - General for approval and payment of pensions respectively. Until lately there was only one clerk who was tackling with pension matters. In view of the unprecedented heavy work load consequent upon the lowering of the compulsory retirement age from 60 to 55 years, the clerk is being assisted by 2 inexperienced clerks as far as pension work is concerned. The situation is made worse by the lack of supervision and guidance by a responsible officer in the Ministry.

Secondly, there is an absence of personal records and statistics in the Ministry headquarters. Therefore, any query on the statement of service and leave of an officer by the Ministry or the Central Agencies will have to be referred to the originating department in which the officer was serving. Furthermore, since the records are not available in the Ministry headquarters, the Pensions Section is not in a position to determine the number of officers that would retire at any one time on reaching the age limit. Similarly compiled statistics on the number of contract officers with the dates of expiry of their contracts are not maintained. Such being the case the Ministry is not in a position to ensure that timely and necessary actions are taken to prepare pension and gratuity papers for those officers who are either retiring on reaching the age limit or whose contracts are about to expire.

Thirdly, it often happens that officers exercise their options under Regulation 16 of the Pensions Regulations, 1957<sup>4</sup> at the last moment i.e. when they are about to retire and sometimes such options are only exercised after they have effectively retired from service. This inevitably leads to administrative delay in the preparation of their pension papers as all exercise of options of pensionable employees are approved by the Director-General of Public Services. In the case of non-pensionable employees delay arises because the authority of Ruler in council have to be sought.

Fourthly, delay also arises due to non-availability of the Employment Provident Fund (EPF) statement. The EPF statement has to be taken into account in the computation of pension and hence the pension papers cannot be finalised without the EPF statement, which the Accountant-General insists must be up-to-date. This problem arises mainly because according to paragraph 10 of Treasury Circular No. 3 of 1960 information in respect of an employee's account will only be divulged by the EPF Board at the request of the employee himself. As such, the Head of Department is not responsible for obtaining the statement of account of the officer who is retiring, even though such account forms an essential part in the preparation of the officer's pension papers. Any delay that may occur due to the non-availability of the EPF statement will be squarely placed on the shoulder of the officer concerned, who is, more often than not, ignorant of such requirement.

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4. See Pensions Regulations, 1957 pp 8-9.



Furthermore, not all enquiries to the EPF Board will get an immediate response. There are cases where the EPF Board gives a reply to enquiry within 8 days while there are also cases where it takes the Board more than 3½ months to reply to an enquiry on the employee's account.

Fifthly, there are omissions on particulars essential for computation of pension. The best example of such omission is the date of reporting for duty after the Japanese occupation which is seldom entered in respect of officers with pre-war service. In such cases, the government insist on 1st September, 1945 as the date of reporting back for duty. This, however, is not agreeable to some employees who insist on some other dates. This conflict would also lead to unnecessary delay.

Even small matters like wrong spelling in names as compared to Identity Card would lead to some delay. This is because the Authorities concerned insist that every detail should be in its right order before pension papers can be approved. One must admit that this is a necessary measure considering the importance of pensions to an employee as well as the organisation.

With all these grievances concerning pension procedures it is obvious that something has to be done to remedy the situation. The government in response to the numerous complaints have assigned a team of Management Analysts to undertake a study to determine the causes of delay and make recommendations with a view to expedite payment. The result of their study is embodied in the form of a report known as "Laporan Kajian Atas Sistem Pembayaran Panchen". Recommendations made by this team will be considered and examined in the final chapter of this study.

## (1) Background

### (1)(a) Review of present status in Division I, II, III

In this area, and under that for Division I, II and III the role of the Ministry is very limited and is confined only to the final interviewing when a representative of the Ministry sits as one member of a team of three in the Interviewing Board. The question to be posed here is whether the role assigned to the Ministry is too limited. Can, in the existing arrangement of recruitment procedure between PSC, PSB with the Ministry at a more appropriate level a good workable system?

Development Administration in Malaya by Professor John L. Montgomery and Professor Milton J. Egan, pp 1



## CHAPTER VIII

### CONCLUSIONS AND SUGGESTIONS

#### Introduction

The purpose of this chapter is to summarise the preceding chapters and assess the personnel administration of the Ministry. The writer does not propose to present a list of recommendations for improving the mechanism of personnel administration, but rather to point out the weaknesses in the existing system and examine these weaknesses critically with the aim of suggesting new or improved methods of application of basic principles in order to increase the efficiency of the various processes of personnel administration. In keeping with the objective of this paper the area of relationships between the Ministry and Control Agencies as regards the various activities of personnel administration will also be considered.

#### General

"At present virtually every personnel function from the establishment and the grading of individual positions to the recruitment and the promotion of personnel is beset with complex procedures and long delays." This view was expressed in a report by Professors Montgomery and Esman.<sup>1</sup> They pointed out that the government is not taking advantage of many techniques of modern personnel administration which are used by government and industry elsewhere. This is a grave criticism indeed, especially in the light of future events expected when our governmental structure will become larger and more complex. If the personnel system cannot cope with this faster pace of operations it would lead to deterioration of the public service.

#### (1) Recruitment

##### (i)(a) Filling of vacant posts in Division I, II, III

In this area, one notes that for Division I, II and III the role of the Ministry is very limited and is confined only to the final interviewing when a representative of the Ministry sits as one member of a team of three in the Interviewing Board. The question to be posed here is whether the role assigned to the Ministry is too limited. Or, is the existing arrangement of recruitment procedure between PSC, PSD with the Ministry at a more subordinate level a good workable system?

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1. Development Administration in Malaysia by Professor John D. Montgomery and Professor Milton J. Esman, pp 7-8.



(2)(b) Although the existing arrangement may seem to make the Ministry's hands appear tied, one wonders whether the existing machinery of the Ministry is equipped enough to undertake more than the present advisory role of power if recruitment is delegated.

Further, the Ministry of Health represents one Federal Ministry out of 9(nine) Federal Ministries and for all the Federal Ministries recruitment procedure is exactly alike with the Ministries playing very limited roles as described in Chapter III. If more powers are delegated to the Ministry of Health and all the other Ministries, recruitment procedure may no longer be standardized as it is now and may lead to a position where there is not one civil service but a number of departmental services unless preventive action is taken. This means that there is no uniformity of standards, that resources in money and manpower are not most economically employed, and that the effort to limit the possibility of favouritism is weakened.<sup>2</sup>

Montgomery and Esman's Report<sup>3</sup> came out with one suggestion at attempting to solve this problem. This is by gradual delegation with the PSC prescribing the policies and procedures to be followed by the departments and retaining authority to review certain departmental decisions that affect the rights of employees as well as the interest of the service.

(i)(b) Filling of vacant posts in Division IV and the Industrial and Manual Group.

For recruitment in the Division IV and Industrial and Manual Group one notes the general independence of the various state Selection Boards. An intrusion to this general independence occurs occasionally such as in the instance cited in Chapter III.<sup>4</sup> The directive then issued via the Ministry was in accord with a political move whereby the government had previously promised to find employment for the Dusun Tua Pioneer Youth corps members. This is an illustration of political intrusion in the field of administration. This is not necessarily bad in all instances and the writer views some political intrusion as unavoidable since there are some areas in which administration and politics overlap.<sup>5</sup> However, if political intrusion is carried to the extreme it can affect the efficiency of the service. It is heartening to note that the situation in Malaysia is not that of the latter case.

(ii)(a) Recruitment from provisions in the yearly estimates

In the instance of recruitment from the creation of new posts from the provisions in the yearly estimates of the Finance Branch of the Ministry the complaints that the Treasury seldom fixes a ceiling to the amount that it wishes to allocate to the Ministry and that insufficient procedural guidelines and directives are issued deserve our sympathy. One can imagine how frustrating it is for the officer-in-charge to prepare his estimates based on assumed guidelines only to have it readjusted after the meeting with the Treasury. The task of preparing estimates would be made easier if the Treasury fixes a ceiling amount for the recruitment of additional personnel and issues more procedural directives and guidelines to the Ministry.

2. Handbook of Civil Service Laws and Practices, United Nations, New York 1966 p.33

3. Montgomery and Esman, op cit, p.8

4. See p. 9

5. See The Study of Public Administration by Dwight Waldo, Random House, New York.



(2)(b) Provision of new posts by establishment warrant.

However, the provision of creation of new posts by establishment warrant is commendable. It shows the government's insight into the problems of recruitment which should be flexible and in accordance with the projects undertaken by the Ministry in any particular year.

(ii) Training

One notes that the overall training programme is commendable, but from Table 2 in Chapter IV<sup>6</sup> one finds that it is still insufficient to meet the demand for trained personnel. A solution to this dilemma will have to be found if the Ministry wishes to operate at an optimum level.

Before one can attempt to find a solution to a problem one has to analyse the causes. As such the first question here is 'What is the cause of this apparent shortage?' From interviews conducted with ministerial officials in the training branch it is observed that the main cause of this apparent shortage is that the Ministry's present strength measured in terms of available manpower, financial resources and training facilities have a tendency to be nearer the minimum needs than the optimum needs. Since the Ministry's present strength determines the kind and size of training programme undertaken it is no wonder that the Ministry is at a perpetual level of shortage of trained personnel.

Having determined the cause of this shortage the next appropriate question is 'What is the best way to bring the Ministry's present strength nearer the optimum needs or to the point of optimum needs?' It is obvious that the best way to increase the Ministry's present strength is to increase the three variable components of present strength viz available manpower, financial resources and training facilities. The more difficult question now is 'How do you do this?' We, therefore, have to examine the variables one by one and see how each variable can be increased in order to pick the point of present strength along the continuum nearer to the optimum or preferably to the optimum point.

The first variable component is available manpower. For the posts which require lesser qualifications e.g. assistant nurses which have an apparent shortage of 1088, there is no problem of any dearth of available manpower. It is only for the posts which demand greater qualifications e.g. doctors (shortage of 99) and dental officers (shortage of 103) that the question of available manpower poses a problem. Two factors come into play here. Firstly, the qualification demanded for entry is of a very high standard and there are not enough students who can meet these requirements. Secondly, the nature and length of training demands a great deal from the student and many suitable candidates, therefore, prefer to take another course for which the returns might be the same or even less. What then is the solution? Should the qualifications for entry be reduced? This would be detrimental to the quality of doctors and dental officers turned out and in the end would provide no solution at all. It is far

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6. See p. 14

7. See Table 2 p. 14



better not to have enough but producing work of a superior quality rather than too many but producing work of a lesser quality. Should then the nature and length of training be modified? It is neither possible nor advisable for the Ministry to make the training less rigid. Firstly, the nature and length of training follow closely the prescribed international standard and secondly it would affect the quality turned out.

The only solution, therefore, is to continue using doctors who are on loan from neighbouring countries until such a time when the shortage has been overcome.

The second and third variable components go hand in hand because expansion of training facilities depend on increased availability of financial resources. The question now is 'How does the Ministry go about increasing its financial resources?'

Like any other Federal Ministries the Ministry of Health depends on the Treasury for finance and this being the case the only solution is to present a forceful representation to the Treasury, building up a good case backed by statistical data on why the Ministry needs the extra financial resources. It should not be too difficult a task since the Treasury can be made to see that "training, as a process of developing human resources, is now the most important factor in the economic development of the country"<sup>8</sup>.

In the general Health Manpower Training Programmes the training for various posts such as doctors, dental officers and nurses as described in Chapter IV, p. 13-17 is comprehensive and satisfactory. However this is not so in the case of Hospital Assistants. It is said that inspite of the responsibilities that Hospital Assistants have come to be assigned especially in the rural areas they do not usually receive any formal training in public health or rural health problems.<sup>9</sup> This would affect the quality of work performed by the Hospital Assistants. One solution suggested by the W.H.O. Assignment Report<sup>10</sup> is to enroll them in refresher courses on the problems of public health and such-like subjects. This can be conducted in the rural health training centres.

A problem also prevails in the field of training of public health inspectors. It is expressed that the nine months of education after the 11th year of schooling do not correspond with the amount of responsibilities shouldered by these personnel. It has been suggested that 3 years would be a more suitable length for training of these personnel, but this would mean a reduction in the numbers of public health inspectors turned out for the first two years. At present the capacity of the Public Health Institute is limited only to 40 Public Health Inspectors annually and the Ministry's report on the shortage of this category of personnel stands at 167. Furthermore extension

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8. Training For Development in West Malaysia. A Report by Development Administration Unit and Staff Training Centre, November 1969 p. 1

9. W.H.O. Assignment Report 23 June - 12 Sept 1968 by Dr Milton I. Roemer and Miss Olive Manning p. 63.

10. Ibid p. 85



of their curriculum would also entail additional teaching staff. Because of the inherent problems involved with the extension of training programmes here, the Ministry would have to decide on the basis of cost - benefit analysis whether to lengthen the period of training or to continue with the present training system.

It is felt too that the public health overseer requires some formal instruction before he starts work. This can be conducted at the Rural Health Training centres in Jitra and Rembau but this is only possible with the expansion of these Rural Health Training centres. The other alternative is to incorporate public health concepts in the basic education of assistant nurses and midwives while they are in the hospital training school so that the demands for their instruction in the Jitra and Rembau centres would eventually be reduced.

As said earlier on, there is a current shortage of assistant nurses. This situation also prevails for the midwives. It is said that it is questionable whether their currently restricted duties justify the full sixteen - week schedule, on top of their two-year basic training.<sup>11</sup> If the training period is reduced, assistant nurses and midwives would be turned out at a greater pace to meet the required demand. If, however, the duties of midwives are broadened to include child health work, the full sixteen weeks or more would be reasonable for their course.

It is noted that for all the categories of personnel, the flow of applicants is steadily increasing and this is permitting higher requirements for admission to the training programmes. This is a good trend and ensures that the chosen candidates are worthy of their place in the training programme, and which will eventually lead to the raising of standard of performance of those qualified.

#### Relationship between the Ministry and Control Agencies.

In the area of relationship between the Ministry and the Control Agencies one notes the general independence of the Ministry in the field of training. This is as it should be since training of health personnel requires a more detailed and closer supervision than the other activities in the personnel - administration cycle. This can be provided only by a specialised organisational unit of health activities like the Ministry of Health.

In the more general aspects of training like probation and confirmation, the Ministry works with the P.S.C. in the determination of the suitable number of years of probationary period for the various categories of personnel. This is because probationary period and confirmation exist not only for the Ministry of Health officials but also for officials in the other Ministries and as such need a more general body like the PSC to come out with a uniform policy that would encompass the whole public service.

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11. Ibid p. 84

12. See p. 22 for reasons on disciplinary control.

13. See p. 23 on purpose of probation.



### (iii) Discipline

One notes from the chapter on discipline that the administrative service in Malaysia is assigned the responsibility for instituting disciplinary action against officials who have committed a breach of the service's Code of Conduct. This provision is seen to be as an essential measure since without this provision, there would be no available means to punish those officers who tend to lag in the performance of their duties and, more serious, those officials who tend to indulge in criminal and corrupt practices. This would further lower the reputation of Public Agencies which, in any case, are already noted for their "red-tapism", apathy and general indifference.

The question to be asked here is, therefore, how far the provision of disciplinary action is successful in attaining its objectives.<sup>12</sup> Although there are no statistics available to answer this question, the general opinion obtained from conducted interviews is that the administrative service is lenient and it is only on very rare occasions that the officers' service is terminated, and that too when the offence is very serious, e.g. corruption. On the whole, most government employees take their security of tenure almost for granted and this can hardly be viewed as fostering efficiency in the public service. Therefore, one has to conclude that something is amiss in the disciplinary process and that corrective measures to instill a less apathetic disposition towards discipline should be instituted to correct this malady.

In the field of discipline, one notes the limited role of the Ministry vis a vis the Disciplinary Authority. Here, the Ministry's role is merely the mechanical one of investigating to ascertain the seriousness of an offence and to make a report to the Disciplinary Authority which then takes over the disciplinary work from the hands of the Ministry. One drawback of the existing system is that the weapon for initiating discipline is removed from the place of occurrence of the offence and the time lag involved can be a deterrent to the fostering of an efficient disciplinary process.

### (iv) Promotion

Many grievances have been expressed because of the present promotion plan. These include placing seniority above merit, promotion of personnel without adequate training for the new posts and unduly lengthy appointment periods. These grievances if not taken heed of will lead to a lowering of morale among the Ministry's employees and will ultimately lead to an inefficient service system. When comparing the present promotion plan to the 'purpose of promotion'<sup>13</sup> it is obvious that what actually takes place is very far from achieving its purpose.

Suggestions with regard to the problems in this area have been discussed in chapter VI pp. 30. Included in the suggestions are the placing of merit above seniority or at least at par with each other, the training of personnel prior to promotion to new posts and the fixing of an appointment period to a maximum of six months.

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12. See p. 22 for reasons on disciplinary control.

13. See p. 29 on purpose of promotion.



One notes that there is a substantial delegation of powers from the PSC to the Ministry after the enactment of Public Services Promotion Board Regulations 1967. The Ministry's jurisdiction over promotion has increased to include personnel of superscale 'K' and below for men and Superscale 'N' and below for women. One observed that this is one activity in the personnel administration area in which the Ministry has been granted quite a substantial amount of authority. The other general activities, like discipline and appointment, are handled by the Control Agencies. This could be because it is felt that promotion can be handled better by a Promotion Board consisting mostly of Ministry of Health officials since they are in a better position to gauge the performance or the non-performance of the Ministry's employees as compared to the PSC.

The provision for the setting up of Appeal Boards<sup>14</sup> can be viewed as commendable since it provides a means for any aggrieved person to have a decision adverse to him reviewed by a higher authority.

#### (v) Retirement

It is observed from chapter VII pp. 36 that many problems exist in the present retirement procedure in the Ministry of Health. This has led to delay in payment of retirement benefits. Some of the factors involved reflect lack of coordination between the Ministry and the Control Agencies or some other body like the Employment Provident Fund (EPF). These factors include present cumbersome communication channels for the purpose of making queries, insufficient copies of circulars issued by the Control Agencies, piecemeal queries by the PSC and Audit Department delay in issuing clearance certificate by the Inland Revenue Department, delay in approval by the PSC, and EPF's delay in replying to an inquiry made by the Ministry.

Some other factors are the result of faulty internal mechanism of the Ministry. These include bottlenecks in the Ministry, absence of personnel records and statistics in the Ministry headquarters, and failure to inform applicants that they should procure EPF statements themselves.

Still other factors arise because of mistakes made by the applicants themselves. These include late exercise of options, incorrect spelling in names as compared to Identity Card and omission of particulars essential for computation on pension.

The team of management analysts (mentioned in Chapter VII p. 40) assigned to look into the retirement procedures have come out with a number of recommendation<sup>15</sup> to speed up the process of retirement procedures. One of the recommendations is that the Head of Department and officers of Division II and above who are responsible for pension works in the Department be allowed to sign as Computing Officers.

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14. As described on pg. 32

15. Much of the material on the following recommendations has been adapted from Laporan Kajian Atas Sistem Pembayaran Penchen, Chawangan Analisa Pengurusan Bahagian Perjawatan Jabatan Perkhidmatan Awam, Malaysia pp 22-31.



Secondly, it is recommended that circulars pertaining to pensions issued by the Control Agencies be supplied in sufficient numbers to the Ministry so that they can be distributed to all operating Units without their having to produce them first.

They also recommend that the personnel in charge of pensions in the Ministry be given training on pensions work at the Staff Training Centre so as to enhance their skill.

Further, it is also suggested that the Audit Department and the Public Service Department should avoid making piecemeal queries on pension papers submitted by the Ministry. When queries are raised, they should be in a comprehensive form so that unnecessary and repetitious inter - and intra - departmental correspondence which is time - consuming be avoided.

Also included in the recommendations is that computations on pensions be as direct as possible.

It would also help the existing situation if the Ministry compile statistics of those officers who will be retiring on reaching the age limit two years in advance. The list should contain names of officers arranged according to months of their retirement.

Another recommendation is that the Inland Revenue Department in the event that it could not give the clearance certificate asked for by the Ministry within three weeks from the receipt of such requests should inform the Ministry of the position with regard to the requests.

In addition, it is also recommended that the Head of Department should see to it that officers exercise their option under Regulation 16 of the Pensions Regulation, 1957, at least one year before the dates of their retirement.

All the recommendations advocated by the Report aimed at improving the retirement procedures by removing obstacles that stand in the way of producing a good system which would eradicate all the existing drawbacks especially that of delay in payments.

### Conclusion

From the above one can see that in all the activities covered in this paper, there are areas which need to be given a face-lift so that the existing system be improved and also so that the Ministry can operate at its most optimum level and provide services to the public in a more efficient manner.

13. Public Services Promotion Board Regulations, 1957, Malaysia

14. Rukun Rami Tahunan (1963)

15. Pensions Regulations, 1957, Federation of Malaysia

16. Pensions Ordinance, 1954



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C. List of persons interviewed

1. Raja Zainal Abidin  
Setia Usaha Tetap, Kementerian Kesihatan  
Date of interview : May 26th 1970 9.00 - 11.00 a.m.
2. Dr Sheikh Raihan bin Hamzah  
Pen. Pengarah Latehan, Kementerian Kesihatan  
Date of interview : March 14th 1970 10.30 - 11.30a.m.
3. Dr Saraswathy  
Timbalan Ketua Pegawai Perubatan & Kesihatan,  
Kementerian Kesihatan  
Date of interview : February 20th 1970 11.00 - 12 a.m.
4. Che Ramli  
Penolong Setia Usaha, Perkhidmatan dan Jawatan  
Kementerian Kesihatan  
Date of interview : February 3rd 1970 10.00 - 12 a.m.
5. Che Wan Puteh  
Penolong Setia Usaha Kewangan, Kementerian Kesihatan  
Date of interview : February 9th 1970, 10.30 - 11.30 a.m.